

REMARKS

By this amendment, claim 17 has been cancelled, and claim 1 has been amended. Thus, claims 1-16 are now active in the application. Reexamination and reconsideration of the application is respectfully requested.

In item 2 on page 2 of the Office Action, the Examiner held that claim 17 is withdrawn from consideration as being directed to a non-elected invention. Accordingly, in order to expedite allowance of this application, claim 17 has been canceled. However, applicants reserve the right to pursue claim 17 in a divisional application.

It is noted that claim 3 is presented with the identifier "previously presented" and is shown as being currently unamended. However, in the Amendment filed June 9, 2004, claim 3 was inadvertently shown with the phrase "according to claim 1 or 2" in the preamble. This was an error, because claim 3 had already been amended to remove "or 2" by the Preliminary Amendment filed August 25, 2000. As such, claim 3 is not being currently amended, but is rather simply shown in its correct current form, notwithstanding the incorrect form of claim 3 as presented in the Amendment filed June 9, 2004.

Next, on pages 3-5 of the Office Action, claims 1, 3, 4, 6, 9, 13, 14 and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Maeda et al. (U.S. 4,886,246); and claims 2, 5, 7, 8, 10-12 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda in view of Ohshita et al. (U.S. 4,823,740). These rejections are believed clearly inapplicable to the claims as now amended, for the following reasons.

Claim 1, the only independent claim, has now been amended to require the fluidized medium discharge chute 20 to be connected to the discharge port 16 and extending downwardly from the discharge port 16 to below the discharge port 16.

In the first Office Action of March 9, 2004, the Examiner issued rejections of the claims based on the Maeda et al. patent and a combination of Maeda and Ohshita et al., but had applied these references in a different manner than these references were applied in the final Office Action mailed September 8, 2004.

More specifically, in the first Office Action of March 9, 2004, the Examiner had considered the claimed "discharge chute" to be met by element 4 of Maeda (Fig. 2), and the claimed "discharge port" to be met by element 6b of Maeda. On the other hand, in the final Office Action of September 8, 2004, the Examiner considered the claimed "discharge chute" to be met by element 6 of Maeda and considered the claimed "discharge port" to be met by the element 4 of Maeda.

However, with the above-mentioned amendment to claim 1, the Maeda patent clearly does not include all of the features recited in claim 1.

In particular, as shown in Fig. 2 of Maeda, element 6 of Maeda does not extend downwardly from the element 4 to below the element 4. Accordingly, it cannot be said that the Maeda patent shows a fluidized medium discharge chute connected to the discharge port and extending downwardly from the discharge port to below the discharge port, as specifically required by claim 1.

The Ohshita patent was cited for teaching that "it is conventional to provide a screw conveyor 72 as a mechanical means of removing the incombustible residue or fluidizing medium away from a discharge passage 69 or discharge chute." However, the Ohshita patent clearly provides no teaching or suggestion that would have obviated the above-mentioned shortcoming of the Maeda patent.

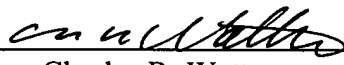
Thus, in view of the above-mentioned clear difference between the present invention as recited in claim 1 and the Maeda et al. patent, it is apparent that claim 1 is not anticipated by the Maeda et al. patent. Furthermore, there is no teaching or suggestion in the Maeda et al. patent or the Ohshita et al. patent or in any of the references of record which would have motivated a person of ordinary skill in the art to modify the Maeda et al. patent or to make any combination of the references of record in such a manner as to result in or otherwise render obvious the present invention of claim 1. Therefore, it is respectfully submitted that claim 1, as well as claims 2-16 which depend therefrom, are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Norihisa MIYOSHI et al.

By: 
Charles R. Watts
Registration No. 33,142
Attorney for Applicants

CRW/asd
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
November 29, 2004